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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,324	12/18/2001	Urpo Tuomela	413-010763-US(PAR)	6731
2512	7590	08/10/2006	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			CHO, UN C	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/024,324		TUOMELA ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Un C. Cho		2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,8 and 12-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/17/2006 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 6, 8, 12 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shen (US 6,428,475 B1) in view of Richton (US 6,650,902 B1).

Regarding claim 1, Shen discloses a wireless personal data logging and processing device, reminder, arranged so as to collect, process and indicate information needed by an individual user (see Abstract), said reminder comprising: a wireless receiver (receiving module (Fig. 2, 11) having a receiving circuit (Fig. 2, 111)) configured to receive information from a physical condition arrangement and a physical activity arrangement (Shen: Col. 2, lines 42 – 50,

Col. 2, line 59 through Col. 3, line 10); an alarm (buzzer, Fig. 2, 13)/display (display, Fig. 2, 12) part configured to display messages or alerts to the user; and a control unit (control circuit, Fig. 2, 14) configured to make context-based decisions based on the received information to guide the actions of the user of the reminder (Shen: Col. 2, lines 51 – 54).

However, Shen as applied above does not specifically disclose a wireless receiver configured to receive information from a location arrangement and a task activity arrangement and a control unit configured to make context-based on the received information to guide the actions of the user. In an analogous art, Richton remedies the deficiencies of Shen by disclosing such limitation in Col. 7, line 66 through Col. 9, line 16 and lines 37 – 50 whereas the user receives location specific information based on the location where the user is at and is able to make decisions accordingly. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the technique of Richton to the system of Shen in order to provide an efficient system which tailors beneficial and useful information to specific individual needs.

Regarding claim 2, Shen in view of Richton as applied above discloses a memory part of which is arranged so as to provide an activity log in the reminder (it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a control circuit having memory within to store activity logs, Fig. 2, 14; Shen).

Regarding claim 3, Shen in view of Richton as applied above discloses a user interface for the device (Figs. 4A and 4B; Shen: Col. 2, lines 32 – 41).

Regarding claim 4, Shen in view of Richton as applied above discloses a receiver means with which the reminder is arranged so as to function as a terminal in a wireless network (Fig. 1, 10; Shen).

Regarding claim 5, Shen in view of Richton as applied above discloses wherein the wireless network terminal is arranged so as to function as a personal cellular phone (Fig. 1, 10; Shen).

Regarding claim 6, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 8, the claim is interpreted and rejected for the same reason as set forth in claim 2.

Regarding claim 12, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 13, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 14, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 15, Shen in view of Richton as applied above discloses wherein the at least one user monitor includes: a physical monitor; an activity monitor; a location monitor; and a task monitor in wireless communication with

Art Unit: 2617

the control unit (physical and activity monitor; Shen: Col. 2, line 59 through Col. 3, line 10).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1 – 6, 8 and 12 – 15 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C. Cho whose telephone number is (571) 272-7919. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Un C Cho  
Examiner  
Art Unit 2617

*8/4/06 uc*

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER